

## REMARKS

Claim 8 has been amended to remove the awkward word “through-going.” This word appears to result from inexpert translation and is not believed to be relevant to the claim scope. The removal of this word is not in response to any rejection and is not believed to affect the scope of the claim.

The present RCE is being filed, because there was a typo in the number of one of the pending patent applications Applicants cited in the last amendment. It should be noted that the co-pending applications have claims similar to but not identical to original claim 10 in the present application and also that they discuss various other issues that appear in dependent claims in both applications.

### In the drawing

New figures have been added with respect to the opening and with respect to the headlamp as requested by the Examiner.

The requirement to add a drawing with respect to the cermet material is respectfully traversed. Since the text describes a continuous gradient of two materials, and therefore since the gradient implies continuous changes in relevant concentrations throughout the material, Applicants respectfully submit that it would be impossible to draw this material. The textual description in the application is the best way to describe the cermet material.

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### In the specification

The second reference to a co-pending application has been amended to correct a typo.

The specification has been amended to refer to the new figures. No new matter has been added, as what is illustrated directly tracks what is described on p. 5, lines 26-31.

### Claim objections

Claims 11 and 14 have been amended to correct the issues pointed to by the Examiner. Applicants respectively submit that these are minor stylistic changes that do not affect the scope of the claims.

### Art rejections

The art rejections are respectfully traversed.

Any of the Examiner's rejections and/or points of argument that are not addressed below would appear to be moot in view of the following. Nevertheless, Applicants reserve the right to respond to those rejections and arguments and to advance additional arguments at a later date. No arguments are waived and none of the Examiner's statements are conceded.

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### Claims 10, 16 and 21

Claim 10 recites filling the discharge vessel with an ionisable filling thorough a feed-through opening. The feed-through opening is closed by arranging a feed-through in the opening and then gas-tight connecting the feed-through to achieve the gas-tight burner. Claim 21 is similar.

The Examiner points to GB 1,361,225 ('225) as allegedly teaching these features. Applicants respectfully disagree. P. 3, lines 43-47 of '225 states that the electrode is inserted with ducts left for communication of the tube 11 with the interior of the lamp. The tube 11 is sealed by pinching and welding after the discharge vessel is filled per p. 3, ll. 113-114. Applicants accordingly respectfully submit that the Examiner has mischaracterized the reference and therefore not made a *prima facie* case against claim 10. Reconsideration is accordingly respectfully requested.

The limitations of claim 16 are analogous to those of claim 10, for the purposes of the argument presented above.

### Claim 1

Claim 1 has been amended to incorporate the limitations of claim 20. The Examiner states that these limitations are obvious without support in the references or any external evidence to support his assertions. Applicants respectfully submit that this is improper. The Examiner appears to be referring to knowledge he has of materials and

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why it is obvious to combine them in certain ways, but without reference to the sources of such purported knowledge it is impossible for the undersigned to evaluate the correctness or incorrectness of this position. If the Examiner intends to persist in this rejection he is respectfully requested to cite documentation of his assertions of obviousness.

### ‘225/Hendricx (claim 11)

The Examiner has asserted that it would be obvious to put the lamp ‘225 into the headlamp of Hendricx, per claim 11. Applicants respectfully disagree. Applicants do not find any teaching or suggestion that the lamp of ‘225 is suitable for use in a headlamp/headlight. ‘225 appears to relate to high pressure sodium vapor electric discharge lamps, which are commonly used for outdoor lighting, such as street lights. But such lamps are typically very large and unsuitable for use in headlights. Applicants respectfully submit that one of ordinary skill in the art would not look to this type of reference for use in a headlight absent the teachings and suggestions of the present application.

### Claim 9

Claim 9 has been amended to put it in independent form. Also, the term “whereby” has been changed to —wherein—. Since the “whereby” preceded a clause

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that was not merely a result, and which the Examiner correctly interpreted as limiting the claim, the scope of the claim is not changed due to this amendment. This amendment is not in response to any rejection.

Claim 9 is analogous to claim 11, with respect to the concept of reciting a headlamp/headlight.

### ‘225/Geven (claims 5/22)

Applicants respectfully submit that this combination is improper. ‘225 relates to sodium vapor lighting. Geven relates to metal halide lighting. One of ordinary skill in the art would not be motivated to combine them, due to the differences in their technologies.

### Claim 13

The Examiner states that ‘225 teaches that the coating layer is chemically resistant towards oxides and iodides. Applicants have reviewed the portion of ‘225 cited by the Examiner and are not finding any such teaching. Indeed, Applicants do not see where iodides would be present at all in the technology of the ‘225 patent. Applicants see the reference as dealing with hot alkali’s like sodium. Applicants accordingly respectfully submit that the Examiner is mischaracterizing the reference. Reconsideration is respectfully requested.

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### Claim 15

The Examiner states that '225 teaches that the sealant and the connection comprise materials that are needed for welding. Applicants are not finding this. In skimming, the reference, Applicants only see "welding" referred to with respect to pinching the tube 11 at p. 3, line 114 – not with respect to the sealant and connection. The mere existence of welding in other parts of a lamp does not teach or suggest that it could be used as claimed.

### '225/Hendricx/Juengst

Again the Examiner makes a combination of a sodium vapor lamp with metal halide lamps. Applicants respectfully submit that this cannot readily be done and therefore would not normally occur to one of ordinary skill in the art and that the combination is therefore improper. Reconsideration is respectfully requested.

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Applicants respectfully submit that they have addressed each issue raised by the Examiner — except for any that were skipped as moot — and that the application is accordingly in condition for allowance. Allowance is therefore respectfully requested.

Respectfully submitted,

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